

## **REMARKS/ARGUMENTS**

### **Status of the Application**

Prior to the entry of this amendment, claims 1-27 were pending in this application. The Office Action made the election/restriction requirement final and restricted the application to claims 1-19. Furthermore, the Office Action rejected the following claims:

Claims 1-3 and 7-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,812,068 to Wisler *et al.* ("Wisler");

Claims 4,5, 13 and 15-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wisler in view of European Patent Application No. 0551134 to Jogi *et al.* ("Jogi");

Claims 6 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wisler in view of U.S. Patent No. 4,216,536 to More ("More"); and

Claims 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wisler in view of Jogi and U.S. Patent No. 6,382,331 to Pinckard ("Pinckard").

After withdrawal of Claims 20-27 in response to the election/restriction requirement, claims 1-19 are presented for examination in this amendment. Applicant respectfully requests reconsideration and further examination of this application in light of the remarks/arguments presented below.

### **35 U.S.C. §102(a) Rejection**

The Office Action rejected claims 1-3 and 7-12 under 35 U.S.C. §102(a) as being anticipated by Wisler. Applicant respectfully traverses these rejections.

Applicant respectfully traverses the § 102(a) rejections of claims 1-3 and 7-12 because the Wisler reference does not reach all of the limitations of independent claim 1 of the present application. (See MPEP § 2131, Original Eighth Edition, August, 2001, Latest Revision October 2005 "To anticipate a claim, the reference must teach every element of the claim"). Independent claim 1 of the present patent application

includes the limitation of “a downhole processor in communication with the first and second sensors configured to calculate a statistical relationship between the first and second downhole parameters.” (emphasis added).

The Wisler reference discloses a downhole processor that receives data from multiple downhole sensors and correlates this data with “stored reference data.” (See Wisler, Abstract) (emphasis added). In the portion of the Wisler reference cited in support of the § 102(a) rejections, it is explained that data from multiple downhole sensors is processed with stored reference data (predetermined sensor response relationships), wherein the stored reference data (predetermined sensor response relationships) is/are determined from measurements within known borehole and formation characteristics or mathematical models of sensor responses under known conditions or both. (See Wisler, col. 14, lines 26-54). The Wisler reference discloses processing downhole sensor measurements with stored/predetermined data, it does not teach, disclose or even mention calculating a statistical relationship between first and second parameters obtained from a first and a second sensor, which is an element of independent claim 1. Therefore, the Wisler reference does not teach all of the elements of independent claim 1.

Since elements of independent claim 1 are not taught in Wisler, Applicant respectfully submits that independent claim 1 is not anticipated by Wisler. Therefore, it is respectfully requested that the section 102 rejections of independent claim 1 and dependent claims 2, 3 and 7-12 be withdrawn.

### **35 U.S.C. §103 Rejections**

In the Office Action claims 4, 5, 6 and 13-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wisler in view of Jogi, More and/or Pinckard. As provided in more detail above, the Wisler reference does not teach the element of independent claim 1 that provides “a downhole processor in communication with the first and second sensors configured to calculate a statistical relationship between the first and second downhole parameters.” (emphasis added). Moreover, nor does the Wisler

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reference contain any suggestion that parameters obtained from sensors downhole may be processed by a downhole processor configured to calculate a statistical relationship between the first and second downhole parameters. If anything, Wisler teaches away from such a claim element in that it only teaches that data sensed downhole may be analysed/processed with predetermined data, which may be obtained from previous testing of known boreholes and/or borehole modelling. Furthermore, none of the other cited references – Jogi, More or Pinckard – teach or suggest this limitation of independent claim 1.

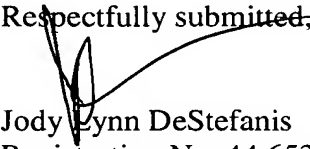
Therefore, because none of the references, either alone or in combination teach or suggest all of the elements of independent claim 1, Applicants respectfully requested that the section 103 rejections of 4,5, 6 and 13-19, which depend from claim 1 and include the same limitation, be withdrawn.

### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

In the event that a fee or refund is due in connection with this Amendment, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No 19-0615. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (617) 252-4735.

Respectfully submitted,

  
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